IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 21020 of 2004

Between:

A. Uma D/o A. Rama Moorthy
R/o Door No. 2/436, Kondamitta, Srikalahasti, Srikalahasti Mandal, Chittoor District.

..... PETITIONER

AND

1. The Joint Collector, Chittoor District, Chittoor.
2. The Revenue Divisional Officer, Tirupati Chittoor District.
3. Mandal Revenue Officer, Srikalahasti Srikalahasti Mandal, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in proceeding with the selection process pursuant to the News item published in Eenadu Telugu Daily Newspaper dated 7-11-2004 in respect of filling of vacancy for the F.P. Shop No. 4 of Srikalahasti Town, Srikalahasti mandal, Chittoor District, as arbitrary, illegal, violative of principles of natural justice and consequently direct the respondents to permit the petitioner to continue as Dealer of said F.P. Shop as usual.

Counsel for the Petitioner:MR.P.RAMABHOOPAL REDDY

Counsel for the Respondent Nos.1 to 3:G.P.FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

Admittedly, the petitioner has been appointed as a temporary dealer in respect of the Fair price shop No.4 of Srikalahasti, Chittoor District. She has been continuing as a temporary dealer from 10.04.2002 onwards. The petitioner is questioning the action of the respondents in taking steps to appoint a dealer in respect of the said shop on permanent basis.

The only ground raised is that the respondents are not entitled to notify the vacancy without issuing any notice to her to putforth her case and without suspending or cancelling her authorization following due process of law.

I do not find any substance in the contention of the petitioner.

The law is well settled that a temporary dealer does not acquire any right for appointment on permanent basis. Once, the vacancy is notified and filled-up following due process of selection, the temporary appointment automatically comes to an end. Hence the writ petition is misconceived and no relief as prayed for can be granted.

Accordingly, the writ petition is dismissed. However, it is always open to the petitioner to participate whenever the notification is issued for appointment of a permanent dealer in respect of the shop in question. No costs.

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17-11-2004

Note: Furnish C.C. by tomorrow.

(B/O)

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To

1. The Joint Collector, Chittoor District, Chittoor.
2. The Revenue Divisional Officer, Tirupati Chittoor District.
3. Mandal Revenue Officer, Srikalahasti Srikalahasti Mandal, Chittoor District.

4. 2CCs to the G.P. for Civil Supplies, High Court Buildings, Hyderabad (OUT).

5. 2CD copies.